REMARKS

Now in the applications are claims 46-77, of which claims 46, 58, and 70 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Double Patenting Rejection

The Office Action rejects claims 46-77 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-30 of now issued U.S. Patent No. 6,131,112 of Lewis, et al. Applicant respectfully notes this rejection and elects to defer response until a determination of allowable subject matter in the claimed invention occurs.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 46-77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,764,995 of Doolan (hereinafter "Doolan") in view of U.S. Patent No. 6,026,091 of Christie, et al. (hereinafter "Christie"). Applicants respectfully traverse these rejections on the basis of the following arguments, and further contend that neither Doolan nor Christie, alone or in combination, teach or suggest all elements of these claims, as described below, and hence, does not detract from the patentability of claims 46-77.

For purposes of clarity in the discussion below, the respective claim rejections under 35 U.S.C. §103 are discussed separately.

A.   Rejection of Claims 46-60 Under 35 U.S.C. §103(a)

The Office Action rejects claims 46-60 as being unpatentable over Doolan in view of Christie. Applicant respectfully traverses this rejection on the basis of the following arguments and further contends that neither Doolan nor Christie, alone or in combination, teach or suggest all elements of these claims as described below, and hence, does not render these claims unpatentable.

The Doolan patent is directed to a <u>gateway</u> that allows a CMIP/CMISE network manager to manage legacy telecommunications network elements by providing a bi-directional mapping between CMIP messages and legacy syntax messages. The Doolan patent <u>does not</u> teach or suggest a method for sharing information between a first management and a second management system, as set forth in claim 46. The invention recited in claim 46 is directed to communications between *two* management systems. In contrast, the Doolan reference teaches or suggests communications between a <u>single</u> management system and a <u>gateway</u> and does not teach or suggest communications between *two* management systems, a significant advantage of the claimed invention.

The Christie reference is directed to an ATM <u>gateway</u> responsible for changing a value in a field of an ATM cell as the ATM cell transfers from a first ATM system to a second ATM system. The ATM gateway of Christie helps ensure proper routing of ATM cells between the first ATM system and the second ATM system. That is, the ATM gateway is responsible for changing the virtual path identification/virtual channel identification (VPI/VCI) value of an ATM cell from a value associated with the first ATM system to a value associated with the second ATM system, and vice versa, to ensure proper routing of ATM cells between the first ATM system and the second ATM system. The Christie patent <u>does not</u> teach or suggest a method for sharing information between a first management system and a second management system as recited in claim 46. Further, the object of the Christie patent is to avoid the use of a high cost ATM switch between the first ATM system and the second ATM system and, hence, is merely concerned with transporting data from a source node in a network to a destination node in the network without regard for the sharing of information between two management systems.

Claims 47-60 depend, directly or indirectly from independent claim 46, and therefore incorporate the patentable subject matter of claim 46. Claim 46 is directed to a method for sharing information between a first management system and a second management system. The method includes steps of receiving a message from the first management system and determining whether the message relates to an entity that is managed by the second management system. When the message relates to an entity that is managed by the second management system, the message is formatted into a format compatible with the second management system. The method also includes a step of

taking an action to provide the second management system with the message in the format compatible with the second management system.

The subject matter recited in claims 46-60 are patentability distinct from the Doolan reference and the Christie reference, alone or in combination. Neither the Doolan reference nor the Christie reference teach or suggest communications between two management systems.

The Doolan reference is cited for teaching or suggesting the steps of receiving an event message from a first management system and determining whether the event message relates to an entity that is managed by a second management system. The Examiner recognizes that the Doolan reference fails to teach or suggest the steps of formatting an event message in a format compatible with a second management system and taking an action to provide the second management system with the event message in the format compatible with the second management system. Nonetheless, the Doolan reference <u>does not</u> teach or suggest receiving an event message from a first management system and determining whether the event message relates to an entity managed by a second management system.

The Doolan reference teaches a management system (200) that relies on a <u>gateway</u> (204) for communication with legacy network elements. That is, Doolan recognizes that older network equipment often lack the capability to support more recent management protocols, such as the common management information protocol (CMIP). Accordingly, Doolan teaches an intermediary or gateway between the management system and the legacy network equipment to map and translate requests and responses between the management system (200) and the legacy network elements. As such, a <u>single</u> network management system using a communication protocol not supported by legacy network equipment can still manage the legacy network equipment using the communication protocol. That is, the Doolan reference teaches a <u>single</u> management system and does not teach or suggest a method for sharing information between *two* management systems that include steps of receiving an event message from a first management system and determining whether the event message relates to an entity managed by a second management system. The gateway (204) of Doolan <u>does not</u> manage entities. Gateway (204) of Doolan is merely a translation mechanism. Manager (200) manages the network elements associated with the gateway (204).

The Christie reference is cited as teaching or suggesting the steps of formatting of the event message in a format compatible with the second management system when the event message relates to an entity managed by the second management system and taking of an action to provide the second management system with the event message in the format compatible with the second management system, as recited in claim 46. The gateway (130) of Christie does not format an event message in a format compatible with a second management system. That is, gateway (130) acts and operates much like an ATM switch directing ATM cells from a first ATM network to a second ATM network. Gateway (130) merely modifies a value in a field of an ATM cell and does not carry out any formatting or re-formatting of the cell to ensure an ATM cell is properly routed between two ATM networks.

The citation of the Doolan reference in view of the Christie reference, fails to establish a *prima facie* case of obviousness with which to reject claims 46-60. Neither the Doolan reference nor the Christie reference, alone or in combination, teach or suggest each and every element of claim 46-60. In the Office Action, the Examiner simply submits as evidence of motivation the unsupportive statements that the gateway disclosed by Christie is similar to the gateway disclosed by Doolan, and, therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Christie and Doolan. Applicant respectfully submits that the gateway of Christie has a structure, operation, and function distinct from the structure, operation, and function of the Doolan gateway. Consequently, one skilled in the art is not motivated to combine the gateway of Christie with the gateway of Doolan.

The suggested combination of references would require a substantial reconstruction and redesign of the gateway element detailed in the Doolan reference as well as a significant change in the basic principal under which the gateway of Doolan was constructed and designed to operate. That is, the replacement of the Doolan gateway with the Christie gateway would leave the system of Doolan inoperable. The mere changing of a value in a field of an ATM cell does not result in the translation of a communication from a CMIP format to some other format understood by a piece of legacy network equipment. As such, Applicants assert that the Christie reference fails to bridge the factual deficiencies of the Doolan reference and therefore neither the Doolan reference, nor the Christie reference, alone or in combination establish a *prima facie* case

of obviousness. Hence, neither the Doolan reference nor the Christie reference, alone or in combination, detract from the patentability of claims 46-60. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 46-60 under 35 U.S.C. §103(a).

B.   Rejection of Claims 61-72 Under 35 U.S.C. §103(a)

The Office Action rejects claims 61-72 as being unpatentable over Doolan in view of Christie. Applicant respectfully traverses this rejection on the basis of the following arguments and further contends that neither Doolan nor Christie, alone or in combination, teach or suggest all elements of these claims as described below, and hence, does not render these claims unpatentable.

The Doolan patent is directed to a gateway that allows a CMIP/CMISE network manager to manage legacy telecommunications network elements by providing a bi-directional mapping between CMIP messages and legacy syntax messages. The Doolan patent does not teach or suggest an apparatus for sharing information between a first management and a second management system, as set forth in claim 61. The invention recited in claim 61 is directed to an apparatus for sharing information between *two* management systems. In contrast, the Doolan reference teaches or suggests communications between a single management system and a gateway and does not teach or suggest communications between *two* management systems, a significant advantage of the claimed invention.

The Christie reference is directed to an ATM gateway responsible for changing a value in a field of an ATM cell as the ATM cell transfers from a first ATM system to a second ATM system. The ATM gateway of Christie helps ensure proper routing of ATM cells between the first ATM system and the second ATM system. That is, the ATM gateway is responsible for changing the VPI/VCI value of an ATM cell from a value associated with the first ATM system to a value associated with the second ATM system, and vice versa, to ensure proper routing of ATM cells between the first ATM system and the second ATM system. The Christie patent does not teach or suggest an apparatus for sharing information between a first management system and a second management system as recited in claim 61. Further, the object of the Christie patent is to avoid the use of a high cost ATM switch between the first ATM system and the second ATM system

and, hence, is merely concerned with transporting data from a source node in a network to a destination node in the network without regard for the sharing of information between two management systems.

Claims 62-72 depend from claim 61 and therefore incorporate the patentable subject matter of claim 61. Claim 61 is directed to an apparatus for sharing information between a first management system and a second management system. The apparatus includes a first means for receiving a message from the first management system and a second means for determining whether the message relates to an entity that is managed by the second management system. A third means of the apparatus formats the message in a format compatible with the second management system when the message relates to an entity that is managed by the second management system. A fourth means of the apparatus takes an action to provide the second management system with the message in the format compatible with the second management system.

Neither the Doolan reference nor the Christie reference, alone or combination teach or suggest each and every element of claim 61. Doolan is concerned with a gateway that translates and maps communications between a single management system and legacy pieces of network equipment. Christie is concerned with an ATM gateway responsible for routing ATM cells between two ATM systems.

Accordingly, Applicant contends that the Doolan reference in view of the Christie reference fails to teach or suggest each and every element of claim 61 and therefore each and every element of claim 62-72. As such, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 61-72 under 35 U.S.C. §103(a).

C. 　Rejection of Claims 73-77 Under 35 U.S.C. §103(a)

The Office Action rejects claims 73-77 as being unpatentable over Doolan in view of Christie. Applicant respectfully traverses this rejection on the basis of the following arguments and further contends that neither Doolan nor Christie, alone or in combination, teach or suggest all elements of these claims as described below, and hence, does not render these claims unpatentable.

The Doolan patent is directed to a gateway that allows a CMIP/CMISE network manager to manage legacy telecommunications network elements by providing a bi-directional mapping between CMIP messages and legacy syntax messages. The Doolan

patent <u>does not</u> teach or suggest a system providing an interface between a first management and a second management system, as set forth in claim 73. The invention recited in claim 73 is directed to a system providing an interface between *two* management systems. In contrast, the Doolan reference teaches or suggests communications between a <u>single</u> management system and a <u>gateway</u> and does not teach or suggest an interface between *two* management systems, a significant advantage of the claimed invention.

The Christie reference is directed to an ATM <u>gateway</u> responsible for changing a value in a field of an ATM cell as the ATM cell transfers from a first ATM system to a second ATM system. The ATM gateway of Christie helps ensure proper routing of ATM cells between the first ATM system and the second ATM system. That is, the ATM gateway is responsible for changing the VPI/VCI value of an ATM cell from a value associated with the first ATM system to a value associated with the second ATM system, and vice versa, to ensure proper routing of ATM cells between the first ATM system and the second ATM system. The Christie patent <u>does not</u> teach or suggest a system providing an interface between a first management system and a second management system as recited in claim 73. Further, the object of the Christie patent is to avoid the use of a high cost ATM switch between the first ATM system and the second ATM system and, hence, is merely concerned with transporting data from a source node in a network to a destination node in the network without regard for providing an interface between two management systems.

Claims 74-77 depend from claim 73 and therefore incorporate the patentable subject matter of claim 73. Claim 73 is directed to a system for providing an interface between a first management system and a second management system. The system includes a correlator. The correlator has an input that receives a message from the first management system and an output that provides a correlated message when the message is related to an entity managed by the second management system. The system includes a message formatter coupled to the correlator. The message formatter has an input that receives the correlated message and an output that provides a formatted message in a format that is compatible with the second management system. The system also includes an interface module coupled to the correlator and the second management system. The

interface module takes a selected action should the output of the correlator provide a correlated message.
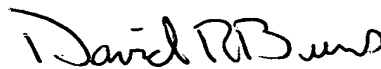
Neither the Doolan reference nor the Christie reference, alone or combination teach or suggest each and every element of claim 73. Doolan is concerned with a gateway that translates and maps communications between a single management system and legacy pieces of network equipment. Christie is concerned with an ATM gateway responsible for routing ATM cells between two ATM systems.

Accordingly, Applicant contends that the Doolan reference in view of the Christie reference fails to teach or suggest each and every element of claim 73 and therefore each and every element of claim 74-77. As such, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 73-77 under 35 U.S.C. §103(a).

CONCLUSION

In view of the remarks set forth above, Applicants contend that claims 46-77 presently pending in this application, are patentable, and in condition for allowance. If the Examiner deems there are any remaining issues, we invite the Examiner to call the undersigned at (617) 227-7400.

Respectfully submitted,

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